

## **REMARKS**

### ***Summary of Changes Made***

Claims 1 and 13 have been amended to incorporate melt flow limitations, as originally presented in claim 6. Claim 4 has been amended to address a grammar issue. Claims 5-6 have been canceled without prejudice. Claim 7 has been amended to change dependency away from now canceled claim 6. Claim 16 has been amended to correct a grammar issue only. Claims 22-23 have been canceled without prejudice. Paragraph [0018] (as so named in the published patent application, U.S. 2003/0004245), has been amended to correct spelling errors. No new matter has been added to the application. Accordingly, claims 1-4, and 7-21 (19 claims) remain pending in the application.

### ***Claim Rejections - 35 U.S.C. §102(b) (Murphy)***

The Examiner rejected claims 1-5, 8-10, 12-13, 15, 19, 20, 22 and 23 under 35 U.S.C. 102(b) as unpatentable over Murphy U.S. 4,477,617 ("Murphy"). The Examiner asserts that Murphy discloses polymeric compositions comprising 10-90% of at least one olefin homo- or co-polymer, 5-85% polyethylene or ethylene-alpha copolymer grafted with 0.1-5% of an alpha, beta- unsaturated carboxylic acid or anhydride and 5-50% reinforcing filler. The Examiner concludes that the Murphy composition inherently possesses Applicant's claimed melt flow properties because the chemical limitations are met.

In the Office Action, the Examiner objected to claims 6, 7, 11, 14, 16-18 and 21 stating that they are directed to patentable subject matter, and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In a telephone conversation on January 13, 2005, Examiner Edward Cain informed the second undersigned that, inasmuch as claim 16 is written in independent form, claims 16-18 and 21 are allowable as written. Hence, the objection relates only to claims 6, 7, 11, and 14. In response to the objection, the Examiner will note that claim 1, as amended, contains all of the limitations of claim 6, and is written in fully independent form. Similarly, claim 13 has been amended to incorporate a melt flow limitation; support

for this amendment can be found in paragraph [0008] of the specification and in originally filed claim 6. Hence, based on these amendments, it is believed that all remaining claims that depend from claim 1, namely, claims 2-4, 7-12, and 19 are patentable. Similarly, it is believed that all remaining claims that depend from claim 13, namely claims 14, 15, and 20, are patentable. Applicants note that the current amendment to claim 16 relates to grammar only. Applicants respectfully submit that the anticipation rejection has been overcome.

Applicants believe that the above-mentioned claim amendments have the same effect as rewriting each of claims 6, 7, 11, and 14 in fully independent form including all of the limitations of the base claim and any intervening claims, because each of the independent claims (1 and 13) are now patentably distinguished over the cited prior art. Hence, Applicants believe this approach is fully responsive to, and overcomes the objections to claims 6, 7, 11, and 14.

## **CONCLUSION**

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge the same to our Deposit Account No. 06-0625, our Order No. FER-15494.

Respectfully submitted,  
RANKIN, HILL, PORTER & CLARK, L.L.P.



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